

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED _____ ENTERED _____
LODGED _____ RECEIVED _____
JUN 04 2007
AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

SALVATORE SPINNATO, *

Petitioner *

VS. * JFM-02-4213

JON P. GALLEY, et. al *

Respondents *

PETITION REQUESTING JUDGE MOTZ TO ISSUE AN ORDER
FOR THIS PETITIONER TO PROCEED IN FORMA PAUPERIS
ON A PENDING APPEAL IN THE FOURTH CIRCUIT COURT OF APPEALS

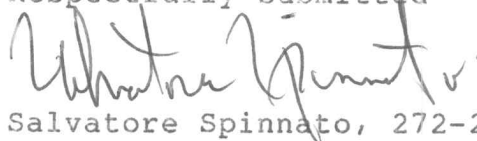
1. Now comes this petitioner, Salvatore Spinnato, pro se, and is asking for Judge Motz to issue an ORDER regarding a Motion to proceed in Forma Pauperis that is pending in the Fourth Circuit Court of Appeals.

HISTORY

1. This petitioner filed a Writ of Habeas Corpus under §2254 with this court on December 31, 2002.
2. This court denied that Writ on January 3, 2007.
3. This petitioner filed a NOTICE OF APPEAL on January 8, 2007.
4. On January 18, 2007 my Notice of Appeal was docketed in the Fourth Circuit Court of Appeals.

5. On February 15, 2007 my application to proceed in forma pauperis was received in the Clerk's office of The Fourth Circuit, and was forwarded to the District Court at Baltimore for a ruling pursuant to **FRAP 24**. The Clerk of the Fourth Circuit requested a ruling on the disposition of this court.
- 6 On March 22, 2007 the Clerk of the Fourth Circuit sent a **second request** to the Clerk of the District Court for a ruling.
7. On May 1, 2007 the Clerk of the Fourth Circuit sent a **third request** to the Clerk of the District Court requesting a ruling on this matter.
8. As of today May 31, 2007 Judge Motz has not yet responded. **THEREFORE** I am filing this Motion with the Clerk of the District Court at Baltimore requesting for **Judge Motz** to issue an ORDER granting my Motion to proceed in forma pauperis.

Respectfully submitted



Salvatore Spinnato, 272-280

18800 Roxbury Road

Hagerstown, Md. 21746

May 31st. 2007

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AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

May 31, 2007

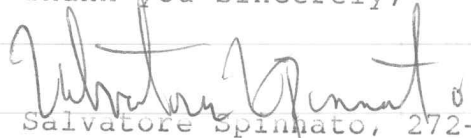
Clerk's Office
United States District Court
United States Courthouse
101 West Lombard Street
Baltimore, Maryland 21201

Dear Madam Clerk:

I have enclosed an ORIGINAL of a Motion directed to Judge Motz to rule on a forma pauperis application that he has not yet ruled on.

This is in reference to CASE NO. JFM-02-4213

Thank you sincerely,


Salvatore Spinnato, 272-280
18800 Roxbury Road
Hagerstown, Maryland 21746

